

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF SOUTH CAROLINA  
GREENVILLE DIVISION**

Rachael Johnson, )  
                        )  
Plaintiff,           )  
                        )  
vs.                   )                      **C.A. #: 6:24-cv-941-JDA**  
                        )                      **MOTION FOR DEFAULT JUDGMENT**  
Merits Health Products, Inc., and United )  
Seating and Mobility, L.L.C., d/b/a     )  
Numotion,            )  
                        )  
Defendants.          )  
\_\_\_\_\_)

Plaintiff respectfully moves, pursuant to Rule 55(b)(2) of the Federal Rules of Civil Procedure, for a default judgment against Defendant, Merits Health Products, Inc. The Summons and Complaint were duly served upon the Defendant, Merits Health Products, Inc. by serving the Registered Agent by certified mail (DKT 5). Further, more than twenty-one (21) days have elapsed since the service of the Summons and Complaint and the Defendant, Merits Health Products, Inc., has failed to plead or otherwise defend as provided by the Federal Rules of Civil Procedure. The Plaintiff is not a minor or incompetent person and the Plaintiff's claim is not for a sum certain or a sum that can be made certain by computation. The Defendant, Merits Health Products, Inc., is not a minor, incompetent person, or a member of the military service. The Clerk of Court made an entry of default as to Defendant, Merits Health Products, Inc., on March 25, 2024 (DKT 7).

The undersigned attorney for Plaintiff further certifies that the following documents have been filed with the Clerk of Court in support of the foregoing, to-wit:

1.       Summons and Complaint; and

2. Proper proof of legal service on Defendant, Merits Health Products, Inc. on March 1, 2024 (DKT 5).

Based on the above statements and pursuant to Federal Rules of Civil Procedure 55(b) (2), Petitioner requests this Honorable Court set a hearing to determine the amount of the judgment against Defendant, Merits Health Products, Inc.

PHILPOT LAW FIRM, PA

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March 27, 2024